

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

CHRISTOPHER SMITH,)	
)	Case No. 3:23-cv-201
<i>Plaintiff,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Jill E. McCook
YASSIN’S FALAFEL HOUSE,)	
)	
<i>Defendant.</i>)	
)	

ORDER

Before the Court is Magistrate Judge McCook’s report and recommendation that the Court dismiss Plaintiff’s complaint (Doc. 8).

Plaintiff filed this action *pro se* and moved to proceed *in forma pauperis*. (Docs. 1, 2.) Under the Prison Litigation Reform Act, district courts must screen *pro se* complaints—even when the plaintiff is not a prisoner but seeks *in forma pauperis* status—and *sua sponte* dismiss any claims that are frivolous or malicious, fail to state a claim on which relief may be granted, or name a defendant who is immune. *See* 28 U.S.C. § 1915(e)(2); *Baker v. Wayne Cnty. Fam. Indep. Agency*, 75 F. App’x 501, 502 (6th Cir. 2003) (“The statute requires courts to dismiss in forma pauperis complaints that fail to state a claim[] and applies to complaints filed by non-prisoners as well as prisoners.” (citations omitted)). Therefore, Magistrate Judge McCook screened Plaintiff’s complaint prior to considering his motion to proceed *in forma pauperis*. (Doc. 8.) Magistrate Judge McCook entered a report and recommendation, recommending that the Court dismiss Plaintiff’s complaint. (*Id.* at 5.) Plaintiff has not filed objections to the report and recommendation, and his time to do so has passed.

After reviewing the record and the applicable law, the Court agrees with the magistrate judge's findings of fact, conclusions of law, and recommendation. Therefore, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 8) and **ORDERS** that all Plaintiff's complaint be **DISMISSED**.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE